

MORAN LAW GROUP, INC.  
CATHLEEN COOPER MORAN, I.D. #83758  
RENÉE C. MENDOZA, I.D. #139939  
1674 N. Shoreline Blvd., Suite 140  
Mountain View, CA 94043-1375  
Tel.: (650) 694-4700  
Fax: (650) 694-4818  
E-Mail: [Cathy@moranlaw.net](mailto:Cathy@moranlaw.net)

Attorney for Hue Tuyet Nguyen

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, DIVISION 5

In Re:	)	Chapter 7
HUE TUYET NGUYEN,	)	Bankruptcy No. 09-59891
Debtor.	)	
<hr/>		
PMB CAPITAL, INC., FOR THE	)	Adversary No. 10-05012
BENEFIT OF PMB MORTGAGES, LP,	)	
Plaintiff,	)	
vs.	)	
HUE TUYET NGUYEN, DEBTOR;	)	
JIM NGUYEN, AMSTON BUILDERS,	)	
INC., AMSTON BUILDERS, HOA LAM,	)	
LUKE LAM, ESTELL LAM, SUSAN	)	
DECKER, CHAPTER 7 TRUSTEE	)	
Defendants.	)	
<hr/>		
	)	HON. ROGER L. EFFREMSKY

**ANSWER OF HUE TUYET NGUYEN**

Hue Tuyet Nguyen, Debtor and Defendant herein, answers the complaint of PMB Capital, Inc. as follows.

1. Nguyen admits the allegations of paragraphs 1, 3, and 4.
2. Nguyen has insufficient information to admit the allegations of the following paragraphs and therefore denies them on information and belief: 5 and 9.

- 1 3. Nguyen denies the allegations of paragraphs 2, 8, 10, 11 and 13.
- 2 4. Nguyen admits the allegations of the first three sentences of paragraph 6. She
- 3 denies that any of her statements were knowingly false when made.
- 4 5. Nguyen admits the contentions of the first six lines of paragraph 7, and denies the
- 5 contentions of the balance of the paragraph.

6 **AFFIRMATIVE DEFENSES**

- 7 6. Plaintiff lacks standing to bring the complaint.
- 8 7. The complaint fails to state a cause of action against this defendant under 11 U.S.C.
- 9 523.
- 10 8. Plaintiff's reliance was not reasonable.
- 11 9. Plaintiff is barred from relief because its negligence is responsible in whole or in
- 12 part for any loss it suffered.
- 13 10. Plaintiff's suite is barred by the one form of action rule.
- 14 11. Defendant has insufficient knowledge or information upon which to form a belief
- 15 as to whether she may have additional as yet unstated affirmative defenses available
- 16 to him. Defendant therefore reserves the right to assert additional affirmative
- 17 defenses in the event discovery indicates they are available.

18 **MORAN LAW GROUP**

19

20 Date: \_\_\_\_\_

21 \_\_\_\_\_  
CATHLEEN COOPER MORAN  
Attorney for Hue Tuyet Nguyen

22

23

24

25

26

27

28